

Message Text

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ORIGIN EB-07

INFO OCT-01 IO-13 ISO-00 AID-05 CEA-01 CIAE-00 COME-00

EA-07 EUR-12 FRB-03 INR-07 NEA-10 NSAE-00 OPIC-03

SP-02 TRSE-00 LAB-04 EPG-02 SIL-01 AGRE-00 OMB-01

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FM SECSTATE WASHDC

TO USMISSION GENEVA IMMEDIATE

INFO USMISSION USUN NEW YORK

ALL OECD CAPITALS

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FOR ECOSOC DELEGATION, STEPHEN BOND AND JIM BAKER, POOLE

E.O. 11652:N/A

TAGS: EINV, ECOSOC

SUBJECT: REPORT ON THIRD SESSION OF COMMISSION ON TRANS-
NATIONAL CORPORATIONS: 63 ECOSOC

1. SUBJECT REPORT, E/5986 E/C.10/32, CONTAINS IN PARAGRAPH 29 LANGUAGE CONCERNING THE CENTER'S ROLE IN NEGOTIATIONS WHICH WE HAD NOT AGREED TO AND FIND UNACCEPTABLE, I.E., "AN ADVISOR FUNDED BY THE CENTRE COULD BE CALLED ON FOR ADVICE ON SPECIFIC NEGOTIATIONS BUT SHOULD NOT PLAY A DIRECT PART IN NEGOTIATIONS UNLESS FUNDED BY ONE OF THE PARTIES INVOLVED."

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2. U.S. DELEGATE (RUBIN) EXPLAINED IN MAY MEETING IT IS NOT POSSIBLE TO DRAW A MEANINGFUL LINE BETWEEN ADVISING ON A SPECIFIC NEGOTIATION AND BEING INVOLVED IN A SPECIFIC NEGOTIATION. WHETHER ONE GIVES ADVICE TO ONE OF THE PARTIES WHILE SEATED AT A NEGOTIATING TABLE OR ON THE BASIS OF EXAMINING A PROPOSED CONTRACT IN ANOTHER ROOM

MAKES NO DIFFERENCE WITH REGARD TO THE CHARACTER OF THE INVOLVEMENT IN THE NEGOTIATIONS. IN EITHER CASE, IT IS DIRECT INVOLVEMENT OF A KIND THAT IN OUR VIEW IS UNACCEPT-

ABLE FOR INDIVIDUALS THAT ARE EMPLOYED, AS CONSULTANTS OR OTHERWISE, BY THE UNITED NATIONS.

3. U.S. DELEGATE SHOULD MAKE CLEAR WHEN THE REPORT IS CONSIDERED THAT THE LANGUAGE NOTED IN PARAGRAPH 1 ABOVE IS NOT AGREED TO BY THE UNITED STATES. OUR POSITION REMAINS THAT PERSONS EMPLOYED BY THE CENTRE SHOULD NOT BE DIRECTLY INVOLVED, WHICH INCLUDES GIVING ADVICE TO ONE OF THE PARTIES, IN PARTICULAR NEGOTIATIONS. AS WE MADE CLEAR AT THE TIME, IF HOST COUNTRIES WANT ASSISTANCE WITH PARTICULAR NEGOTIATIONS, THE CENTRE SHOULD MAKE AVAILABLE A LIST OF QUALIFIED CONSULTANTS WHICH THOSE COUNTRIES COULD HIRE TO PERFORM THIS SERVICE FOR THEM.

4. UNLESS THERE IS A CONSENSUS FOR REMOVING THE NOTED LANGUAGE WE WOULD HAVE TO RECALL AND REAFFIRM OUR POSITION ON THIS POINT. FYI FEISSEL OF CENTRE IN TELCON WITH SMITH, EB/OIA, EXPRESSED SURPRISE THAT THE LANGUAGE WE FOUND TROUBLESOME HAD GOTTEN INTO THE REPORT AND RECOGNIZED THAT IT WOULD CAUSE DIFFICULTIES FOR US, PARTICULARLY IN VIEW OF THE LINK TO PARAGRAPH 5 IN THE OPERATIVE PORTION OF THE REPORT. END FYI.
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5. OUR POSITION ON THIS ISSUE WAS WIDELY SHARED IN WEO GROUP AT MAY MEETING AND PRESUMABLY A NUMBER OF THOSE COUNTRIES, E.G., U.K. GERMANY, SWITZERLAND, WILL BE PREPARED TO JOIN US IN EXPRESSING CONCERN AT HOW IT WAS HANDLED IN THE REPORT. VANCE

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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Disposition History: n/a
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